

SENATE BILL REPORT

HB 1250

As Reported by Senate Committee On:
Commerce, Labor & Sports, March 22, 2017

Title: An act relating to authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions.

Brief Description: Authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions.

Sponsors: Representatives Griffey, Orwall, Dent, MacEwen, Hayes, Holy, McCaslin and Doglio.

Brief History: Passed House: 2/27/17, 96-0.

Committee Activity: Commerce, Labor & Sports: 3/09/17, 3/22/17 [DPA, w/oRec].

Brief Summary of Amended Bill

- Authorizes licensed marijuana retail outlets to receive from another person or entity and donate, at no cost, a lockable box intended for the secure storage of marijuana products and paraphernalia and literature about the lockable boxes.
- Authorizes the retailers to also purchase and sell lockable boxes, so long as the sales price is not less than the cost of acquisition.

SENATE COMMITTEE ON COMMERCE, LABOR & SPORTS

Majority Report: Do pass as amended.

Signed by Senators Baumgartner, Chair; Keiser, Ranking Minority Member; Conway, King, Rossi, Saldaña and Wilson.

Minority Report: That it be referred without recommendation.

Signed by Senator Hasegawa.

Staff: Richard Rodger (786-7461)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: Licensed marijuana retail outlets may not sell products or services other than useable marijuana, marijuana-infused products, marijuana concentrates or paraphernalia intended for the storage or use of marijuana products. Retail outlets may sell such products or services only to adults age 21 and over, and, if the retail outlet holds a medical marijuana endorsement, to qualifying patients age 18 and over who are entered into the Medical Marijuana Authorization Database and hold a valid recognition card and to designated providers.

As marijuana is a Schedule I controlled substance under the state Uniform Controlled Substances Act, and only specific conduct related to possessing, transferring, and consuming marijuana products within the system created by Initiative 502 is legal, generally, any conduct that is not explicitly authorized is prohibited and punishable as a Class C felony under the Uniform Controlled Substances Act.

Summary of Amended Bill: Licensed marijuana retail outlets may donate, at no cost, to adults age 21 and over, to qualifying patients age 18 and over, and to designated providers, a lockable box intended for the secure storage of marijuana products and paraphernalia and literature about such a lockable box. Retail outlets may receive such lockable boxes and literature as a donation from another entity or person that is not a licensed marijuana producer, processor, or retailer, to be passed along, at no cost, to adults age 21 and over, to qualifying patients age 18 and over, and to designated providers.

Additionally, retail outlets may not condition the donation of a lockable box or literature on the recipient's purchase from the retail outlet or use the donation as an incentive to sell marijuana products or paraphernalia.

A retail outlet is also authorized to purchase and to sell lockable boxes for the storage of marijuana products, provided it was not donated to the outlet, and it is not sold for less than the cost of acquisition.

EFFECT OF COMMERCE, LABOR & SPORTS COMMITTEE AMENDMENT(S):

- Simplifies the language of the bill.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill comes from our local health department that wanted to donate some lockable storage boxes to a retail marijuana store. Unfortunately, without a change to the law, the store is not authorized to accept and donate these boxes to their customers. The use of these boxes will help protect children and pets

from getting access to marijuana products. The bill has tight sideboards. This is one of several helpful prevention bills that are moving forward in the Legislature.

Persons Testifying: PRO: Representative Dan Griffey, Prime Sponsor; Seth Dawson, Washington Association for Substance Abuse Prevention.

Persons Signed In To Testify But Not Testifying: No one.